

§ 73.11 Revision of allocations.

No later than June 1, 1998, the Administrator will allocate allowances to the unit accounts for each unit listed in table 2 or 3 of § 73.10, instead of the number of allowances specified in tables 2, 3, and 4, as follows:

(a) The Administrator will allocate allowances to be held in the future year subaccounts representing calendar years 2000 through 2009 as follows:

(1) Units eligible for allowances under § 73.19(a) and that documentation according to § 73.19(b) will have unadjusted basic allowances as listed in table 2 column A.

(2) The Administrator will calculate unadjusted basic allowances (Year 2000) for existing units with approved repowering extension plans under § 72.44 of this chapter according to the following equation, instead of unadjusted basic allowances listed in table 2 column A:

$$\text{Unit's Unadjusted Basic Allowances (Year 2000)} = \text{Baseline} \times 1.2 / 2000$$

(3) Adjustment of basic allowances. The Administrator will adjust each unit's unadjusted basic allowances as listed in table 2 column A, table 3 col-

umn A and table 4 column C, and as stated in paragraphs (a) (1) and (2) of this section, as follows:

$$\text{Unit's Adjusted Basic Allowances (Year 2000)} = \text{Unit's Unadjusted Basic Allowances (Year 2000)} \times \frac{8,900,000}{\text{Sum of All Unit's Unadjusted Basic Allowances (Year 2000)}}$$

(4) Repowering adjustment. The Administrator will calculate a repowering

deduction according to the following equation:

$$\text{Repowering Deduction} = \text{Annual Set Aside} \times \frac{\text{Unit's Adjusted Basic Allowances (Year 2000)}}{8,900,000}$$

where:

Set Aside = Sum of all repowering allowances for the year 2000 under 40 CFR 73.21
Annual Set Aside = Set Aside/10

(5) Special allowance reserve deduction. The Administrator will calculate a Special Allowance Deduction according to the following equation:

$$\text{Special Allowance Deduction} = 250,000 \times \frac{\text{Unit's Adjusted Basic Allowances (Year 2000)}}{8,900,000}$$

(6) Conservation and renewable energy reserve. The Administrator will

calculate the Conservation Deduction according to the following equation:

$$\text{Conservation Deduction} = 30,000 \times \frac{\text{Unit's Adjusted Basic Allowances (Year 2000)}}{8,900,000}$$

(7) Final allowance allocations. (i) § 73.10 and will allocate to each unit's subaccount representing calendar years 2000 through 2009 Final Revised Phase II Allowances according to the following equation:

$$\begin{aligned} \text{Unit's Final Revised Phase II Allowances (Year 2000)} = & \text{Unit's Adjusted Basic Allowances (Year 2000)} + \text{Number for Unit in Table 2 Column C} \\ & - \text{Repowering Deduction} - \text{Conservation Deduction} \\ & - \text{Special Allowance Deduction} + \text{Number for Unit in Table 2 Column D} \end{aligned}$$

(B) According to paragraphs (a) (1) through (6) of this section, the Administrator will revise the allowances allocated to each unit listed in table 3 of § 73.10 and will allocate to each unit's subaccount representing calendar years 2000 through 2009 Final Revised Phase II Allowances according to the following equation:

$$\begin{aligned} \text{Unit's Final Revised Phase II Allowances (Year 2000)} = & \text{Unit's Adjusted Basic Allowances (Year 2000)} + \text{Number for Unit in Table 3 Column C} \\ & - \text{Repowering Deduction} - \text{Conservation Deduction} \\ & - \text{Special Allowance Deduction} + \text{Number for Unit in Table 3 Column D} \end{aligned}$$

(C) According to paragraphs (a) (1) through (6) of this section, the Administrator will revise the allowances allocated to each unit listed in table 4 of § 73.10 (and not eligible for allocations under table 2) and will allocate to each unit's subaccount representing calendar years 2000 through 2009 Final Revised Phase II Allowances according to the following equation:

$$\begin{aligned} \text{Unit's Final Revised Phase II Allowances (Year 2000)} = & \text{Unit's Adjusted Basic Allowances (Year 2000)} + \text{Number for Unit in Table 4 Column C} \\ & - \text{Repowering Deduction} - \text{Conservation Deduction} \\ & - \text{Special Allowance Deduction} + \text{Number for Unit in Table 4 Column D} \end{aligned}$$

(ii) (A) If, as of January 1, 1998, both the auction and sales under subpart E of this part are terminated as provided for in subpart E, instead of allowances under paragraph (a)(7)(i) of this section, the Administrator will revise the allowances allocated to each unit listed in table 2 of § 73.10 and will allocate to each unit's subaccount representing calendar years 2000 through 2009 Final Revised Phase II Allowances according to the following equation:

$$\begin{aligned} \text{Unit's Final Revised Phase II Allowances (Year 2000)} = & \text{Unit's Adjusted Basic Allowances (Year 2000)} + \text{Number for Unit in Table 2 Column C} \\ & - \text{Repowering Deduction} - \text{Conservation Deduction} \\ & + \text{Number for Unit in Table 2 Column D} \end{aligned}$$

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(B) If, as of January 1, 1998, both the auction and sales under subpart E of this part are terminated as provided for in subpart E, instead of allowances under paragraph (a)(7)(i) of this section, the Administrator will revise the

allowances allocated to each unit listed in table 3 of § 73.10 and will allocate to each unit's subaccount representing calendar years 2000 through 2009 Final Revised Phase II Allowances according to the following equation:

$$\text{Unit's Final Revised Phase II Allowances (Year 2000)} = \text{Unit's Adjusted Basic Allowances (Year 2000)} + \text{Number for Unit in Table 3 Column C} - \text{Repowering Deduction} - \text{Conservation Deduction} + \text{Number for Unit in Table 3 Column D}$$

(b) The Administrator will allocate allowances to be held in the future year subaccounts representing calendar years 2010 and each year thereafter as follows:

(1) Units eligible for allowances under § 73.19(a) and that documentation according to § 73.19(b) will have

unadjusted basic allowances as listed in table 2 column A.

(2) The Administrator will calculate unadjusted basic allowances (Year 2010) for units with approved repowering extension plans under § 72.44 of this chapter according to the following equation, instead of unadjusted basic allowances listed in table 2 column F:

$$\text{Unit's Unadjusted Basic Allowances (Year 2010)} = \text{Baseline} \times 1.2 / 2000$$

(3) *Adjustment of basic allowances.* The Administrator will adjust each unit's unadjusted basic allowances as listed in table 2 column F, table 3 column F,

and table 4 column F, and as stated in paragraphs (a) and (b) of this section, as follows:

$$\text{Unit's Adjusted Basic Allowances (Year 2010)} = \text{Unit's Unadjusted Basic Allowances (Year 2010)} \times \frac{8,900,000}{\text{Sum of All Unit's Unadjusted Basic Allowances (Year 2010)}}$$

(4) *Repowering adjustment.* The Administrator will calculate a repowering

deduction according to the following equation:

$$\text{Repowering Deduction} = \text{Annual Set Aside} \times \frac{\text{Unit's Adjusted Basic Allowances (Year 2010)}}{8,900,000}$$

where:

Set Aside = Sum of all repowering allowances for the year 2000 under 40 CFR § 73.21
Annual Set Aside = Set Aside/10

(5) *Special allowance reserve deduction.* The Administrator will calculate a Special Allowance Deduction according to the following equation:

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$$\text{Special Allowance Deduction} = 250,000 \times \frac{\text{Unit's Adjusted Basic Allowances (Year 2010)}}{8,900,000}$$

(6) *Conservation and renewable energy reserve.* The Administrator will calculate the Conservation Deduction according to the following equation:

$$\text{Conservation Deduction} = 30,000 \times \frac{\text{Unit's Adjusted Basic Allowances (Year 2010)}}{8,900,000}$$

(7) *Final allowance allocations.* (i) (A) According to paragraphs (b) (1) through (6) of this section, the Administrator will revise the allowances allocated to each unit listed in table 2 of § 73.10 and will allocate to each unit's subaccount representing calendar years 2010 and each year thereafter according to the following equation:

$$\frac{\text{Unit's Final Revised Phase II Allowances (Year 2010)}}{\text{Unit's Adjusted Basic Allowances (Year 2010) + Number for Unit in Table 2 Column C - Special Allowance Deduction}}$$

(B) According to paragraphs (b) (1) through (6) of this section, the Administrator will revise the allowances allocated to each unit listed in table 3 of § 73.10 and will allocate to each unit's subaccount representing calendar years 2010 and each year thereafter according to the following equation:

$$\frac{\text{Unit's Final Revised Phase II Allowances (Year 2010)}}{\text{Unit's Adjusted Basic Allowances (Year 2010) + Number for Unit in Table 3 Column C - Special Allowance Deduction}}$$

(ii)(A) If, as of January 1, 1998, both the auction and sales under subpart E of this part are terminated as provided for in subpart E, instead of allowances under paragraph (b)(7)(i) of this section, the Administrator will revise the allowances allocated to each unit listed in table 2 of § 73.10 and will allocate to unit's subaccount representing calendar years 2010 and each year thereafter according to the following equation:

$$\frac{\text{Unit's Final Revised Phase II Allowances (Year 2010)}}{\text{Unit's Adjusted Basic Allowances (Year 2010) + Number for Unit in Table 2 Column C}}$$

(B) If, as of January 1, 1998, both the auction and sales under subpart E of this part are terminated as provided for in subpart E, instead of allowances under paragraph (b)(7)(i) of this section, the Administrator will revise the

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allowances allocated to each unit listed in table 3 of § 73.10 and will allocate to each unit's subaccount representing

calendar years 2010 and each year thereafter according to the following equation:

$$\frac{\text{Unit's Final Revised Phase II Allowances (Year 2010)}}{\text{Unit's Adjusted Basic Allowances (Year 2010) + Number for Unit in Table 3 Column C}}$$

(C) If, as of January 1, 1998, both the auction and sales under subpart E of this part are terminated as provided for in subpart E, instead of allowances under paragraph (a)(7)(i) of this section, the Administrator will revise the allowances allocated to each unit list-

ed in table 4 of § 73.10 (and not eligible for allocations under table 2) and will allocate to each unit's subaccount representing calendar years 2010 and thereafter according to the following equation:

$$\frac{\text{Unit's Final Revised Phase II Allowances (Year 2010)}}{\text{Unit's Adjusted Basic Allowances (Year 2010) + Number for Unit in Table 4 Column C}}$$

[58 FR 15705, Mar. 23, 1993]

§ 73.12 Rounding procedures.

(a) *Calculation rounding.* All allowances under this part and part 72 of this chapter shall be allocated as whole allowances. All calculations for such allowances shall be rounded down for decimals less than 0.500 and up for decimals of 0.500 or greater.

(b) *Achieving exact allowance reserves and allowance totals.* (1) If the sum of adjusted basic allowances exceeds 8,900,000; the sum of the deductions for the repowering annual set aside is less than the annual set aside; the sum of the deductions for the Energy Conservation and Renewable Energy Reserve is less than 30,000 allowances per year; or the sum of the deductions for the special allowance reserve is less than 250,000, then the Administrator will withdraw one allowance from each unit, beginning with the unit receiving the largest number of allowances, in descending order, until the allocated allowances balance with the number of allowances available.

(2) If the sum of adjusted basic allowances is less than 8,900,000; the sum of the deductions for the repowering annual set aside exceeds the annual set

aside; the sum of the deductions for the Energy Conservation and Renewable Energy Reserve exceeds 30,000 allowances per year; or the sum of the deductions for the special allowance reserve exceeds 250,000, then the Administrator will distribute one allowance for each unit, beginning with the unit receiving the largest number of allowances, in descending order, until the allocated allowances balance with the number of allowances required.

[58 FR 15707, Mar. 23, 1993]

§ 73.13 Procedures for submittals.

(a) *Address for submittal.* All submittals under this subpart shall be made by the designated representative to the Director, Acid Rain Division, (6204J), 401 M Street, SW., Washington, DC 20460 and shall meet the requirements specified in 40 CFR 72.21.

(b) *Appeals procedures.* The designated representative may appeal the decision as to eligibility or allocation of allowances under §§ 73.16, 73.18, 73.19, and 73.20, using the appeals procedures of part 78 of this chapter.

[58 FR 15708, Mar. 23, 1993]